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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/697,183	10/27/2000	Tadashi Ohashi	1341.1087 (JDH)	4450

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EXAMINER	
BRUCKART, BENJAMIN R	
ART UNIT	**PAPER NUMBER**
2155	

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PR4

Office Action Summary	Application No.	Applicant(s)	
	09/697,183	OHASHI, TADASHI	
	Examiner	Art Unit	
	Benjamin R Bruckart	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 April 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Status of Claims:

Claims 1-16 are pending in this Office Action.

The amendment to the specification is accepted.

The amendment to the drawing Figure 2, is accepted.

The Priority Papers and the certified copy are received and are filed on October 27, 2000 have been entered in as paper 2.

Claims 1-13 remain rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,151,708 by Pedrizetti et al.

New claims 14-16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,151,708 by Pedrizetti et al.

Response to Arguments

Applicant's arguments filed in the amendment filed April 29, 2004, Paper No. 4, have been fully considered but they are not persuasive. The reasons are set forth below.

Applicant's invention as claimed:

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,151,708 by Pedrizetti et al.

Regarding claim 1, a service processor control system (Pedrizetti: col. 1, lines 28-31; col. 2, lines 25-37) comprising:

a component information storage server storing component information on all of hardware and firmware constituting a product (Pedrizetti: col. 1, lines 41-45), control information for controlling at least a hardware state of

a host and setting information for setting the hardware state (Pedrizetti: col. 1, lines 45-55), and connected to the Internet (Pedrizetti: col. 2, lines 60-65); and

a client connected to a service processor connected to said host and said Internet (Pedrizetti: col. 2, lines 60-65), having at least a maintenance service function (Pedrizetti: col. 2, lines 55-65; col. 3, lines 42-56; Figures 6A-6G), as a console function for said service processor (Pedrizetti: col. 2, lines 55-65; col. 3, lines 42-56; Figures 6A-6G), based on said control information and said setting information, and drawing said component information, said control information and said setting information through a browser (Pedrizetti: col. 2, lines 60-65).

Regarding claim 2, the service processor control system according to claim 1, wherein said client executes control relating to said service processor through said browser (Pedrizetti: col. 4, lines 38-42), thereby setting and controlling the hardware state of said host based on said control information and said setting information (Pedrizetti: col. 1, lines 56-62).

Regarding claim 3, the service processor control system according to claim 1, wherein said component information, said control information and said setting information are described in XML and said browser is made to correspond to said XML (Pedrizetti: col. 10, lines 26-34).

Regarding claim 4, the service processor control system according to claim 1, wherein

another client connected to said Internet is provided with said browser (Pedrizetti: col. 9, lines 30-36; Figure 7).

Regarding claim 5, the service processor control system according to claim 1, wherein

said client executes control over information on said service processor using the XML including a tag for defining a type of information on the hardware of said host by DTD (Pedrizetti: col. 10, lines 26-40; tags define content).

Regarding claim 6, the service processor control system according to claim 5, wherein

said client displays said hardware state by a predetermined type of information by using said DTD and DSSSL (Pedrizetti: col. 10, lines 15-40; the DSSSL is a standard for particular formatting like the CDF, line 16).

Regarding claim 7, the service processor control system according to claim 6, wherein said client writes said setting information of a predetermined type into said hardware of said host by using said DTD and DSSSL (Pedrizetti: col. 10, lines 41-53; pull method).

Regarding claim 8, the service processor control system according to claim 6, wherein said client displays a message from said host by scrolling up or down the message by using said DTD or DSSSL (Pedrizetti: col. 10, lines 26-40; how site content is viewed; scrolling is an element of browser markup like HTML, line 19).

Regarding claim 9, the service processor control system according to claim 1, wherein

the service processor control system comprises a program server connected to said Internet (Pedrizetti: col. 2, lines 55-65), storing a program (Pedrizetti: col. 2, lines 38-46), a loading module for loading said program and control information for controlling execution of said program (Pedrizetti: col. 3, lines 57-67); and

said client extracts said program (Pedrizetti: col. 3, lines 57-67), said loading module and said control information by way of said browser through the Internet and then executes said program (Pedrizetti: col. 4, lines 1-11).

Regarding claim 10, a computer-readable recording medium recording a service processor control program (Pedrizetti: col. 2, lines 38-45), connected to a service processor and adapted to a client connected as a console for at least said service processor (Pedrizetti: col. 2, lines 55-65; col. 3, lines 42-56; Figures 6A-6G), said service processor connected to a component information server storing component information on all hardware and firmware constituting a product (Pedrizetti: Figure 1; database; col. 3, lines 6-18), control information for controlling at least a hardware state of a host and setting information for setting the hardware state through the Internet and connected to said host (Pedrizetti: col. 2, lines 55-65), wherein

said computer-readable recording medium allows a computer to execute:

extracting said component information, said control information and said setting information through a browser executed by the browser (Pedrizetti: col. 3, lines 57- col. 4, line 11).

Regarding claim 11, the computer-readable recording medium recording a service processor control program according to claim 10, comprising:

executing control over information on said service processor by using an XML including a tag defining a type of hardware information on said host by DTD (Pedrizetti: col. 3, lines 57-67; col. 10, lines 15-40).

Regarding claim 12, the computer-readable recording medium recording a service processor control program according to claim 10, wherein

said computer-readable recording medium comprises setting and controlling the hardware state of said host based on said control information and said setting information by executing control relating to said service processor through said browser (Pedrizetti: col. 3, lines 42-56).

Regarding claim 13, the computer-readable recording medium recording a service processor control program according to claim 12, comprising:

executing control over information on said service processor by using an XML including a tag defining a type of hardware information on said host by DTD (Pedrizetti: col. 10, lines 26-40).

Regarding claim 14, the service processor according to claim 1, further comprising:

a loading module loading a program to the client and which is automatically executed according to an instruction protocol scanned in at the client (Pedrizetti: col. 3, lines 57-67; pushed and process to the client).

Regarding claim 16, the service processor control system according to claim 14, wherein the component information is created during a process of manufacturing a product (Pedrizetti: col. 1, lines 13-22; col. 7, lines 46-55; shows how manufacturers can upgrade components on client's computers from configurations).

Regarding claim 15, a service processor control system (Pedrizetti: col. 1, lines 28-31; col. 2, lines 25-37) comprising:

a component information storage server storing component information of hardware and firmware relating to a product (Pedrizetti: col. 1, lines 41-45), control information for controlling a hardware state of a host and setting information for setting the hardware state (Pedrizetti: col. 1, lines 45-55), the component information storage server being connected to the Internet (Pedrizetti: col. 2, lines 60-65); and

a client connected to a service processor connected to the host and to the Internet (Pedrizetti: col. 2, lines 60-65), performing a maintenance service function including a console function for said service processor (Pedrizetti: col. 2, lines 55-65; col. 3, lines 42-56; Figures 6A-6G), based on said control information and said setting information through a browser (Pedrizetti: col. 2, lines 55-65; col. 3, lines 42-56; Figures 6A-6G),

wherein the client sends a first set of the component information to the component information storage server (Pedrizetti: col. 3, lines 57-67; col. 4, lines 4-11), and receives a second set of the component information from the storage server (Pedrizetti: col. 4, lines 35-50).

The Applicant Argues:

With respect to claims 1, 10, and 15; applicant argues the appearance of "a console function for said service processor" in Pedrizetti.

Applicant then recites some claim limitations from claims 1 and 15 and cites a "non-limiting example."

In response, the examiner respectfully submits:

With respected to the "non-limiting example," the examiner reminds the applicant although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

With regards to the arguments, which are associated with claim 15, that claim has not yet been addressed in a prior action.

With regards to claim 1, "a console function for said service processor" is taught by Pedrizetti (col. 3, lines 42-56; Figures 6A- 6G). Pedrizetti teaches a server and a client where a set of updates is compared from the server to the client (col. 1 and 2). Pedrizetti also teaches the client sends requests to the server and the console for interaction here is a browser (Pedrizetti: col. 2, lines 63) and as noted in the Figures 6A-6G. The console for interaction with the service processor as cited in the prior art: col. 1, lines 28-31; col. 2, lines 25-37 is the server in which updates are distributed through. The "maintenance service function" is taught by Pedrizetti [col. 2, lines 55-65; col. 3, lines 42-56] as the function to maintain software through the service processor. Also described col. 1, lines 13-21 to maintain software.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number is (703) 305-0324. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155

BRB

brb
June 1, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER